

REMARKS

Claims 1-6 and 8-10 remain for consideration, and new claims 11 - 28 are added to claim the invention in alternative language. Claim 7 is canceled without prejudice. All claims are thought to be allowable over the cited art.

The Office Action fails to establish that claims 1-10 are unpatentable 35 under USC §103(a) over US 2001/0015919 to Kean ("Kean") in view of US patent 6,664,807 to Crotty et al. ("Crotty"). The rejection is respectfully traversed because Crotty is not thought to qualify as prior art. Furthermore, the Office Action fails to show that all the limitations are suggested by the references, fails to provide a proper motivation for modifying the teachings of Kean with teachings of Crotty, and fails to show that the combination could be made with a reasonable likelihood of success.

The present application was filed on 11/28/2000, and Crotty's filing date is 01/22/2002. Therefore, the present application predates Crotty, and Crotty is not prior art.

Even if Crotty qualifies as prior art, the Office Action does not establish *prima facie* obviousness.

The claims include limitations of a decryption algorithm implemented by the decryptor, wherein the decryption algorithm uses data from the address indicator for decrypting the encrypted bitstream. The Office Action fails to show that these limitations are either shown or suggested by the Kean-Crotty combination.

The Office Action admits that Kean does not suggest these limitations, and simply cites Crotty's teaching of an address indicator for addressing configuration memory. However, the Office Action does not cite any teaching by Kean of using anything other than decryption keys for decryption. Nor does the Office Action cite any suggestion by Crotty that an address may be used for anything other than addressing the configuration memory. Thus, the Office Action fails to show

any teaching or suggestion of using an address in a decryption algorithm.

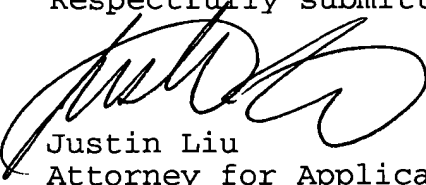
The alleged motivation for modifying Kean with Crotty is conclusory, based on hindsight, and therefore improper. The alleged motivation states that the combination would have been obvious "so as to prevent PLD design relocation." It is respectfully submitted that the Office Action does not include any evidence from the prior art to support the alleged motivation. Furthermore, the alleged reason simply uses the present invention as the reason to support the combination. Therefore, the alleged motivation is improper.

The rejection of claims 1-10 over the Kean-Crotty combination should be withdrawn because the Office Action fails to show all the limitations are suggested by the combination, fails to provide a proper motivation for combining the references, and fails to show that the combination could be made with a reasonable likelihood of success. Therefore, the Office Action fails to establish a *prima facie* case of obviousness.

CONCLUSION

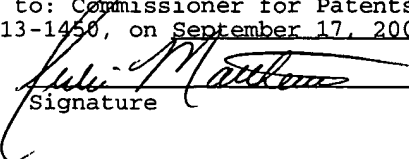
Reconsideration and a notice of allowance are respectfully requested in view of the Remarks presented above. If the Examiner has any questions or concerns, a telephone call to the undersigned is invited.

Respectfully submitted,

  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450, on September 17, 2004.

Julie Matthews  
Name

  
Signature